

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office NOV 3 1993

Returned to applicant for correction

Corrected application filed

Map filed NOV 3 1993

The applicant DONALD E. BENTLY

P.O. Box 157, of Minden,
Street and No. or P.O. Box No. City or Town

Nevada 89423, hereby make S application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Berry Spring
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.022 c.f.s. second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for irrigation
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated 2.0 acres

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under No. 12. "Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, T. 11 N.,
Describe as being within a 40-acre subdivision of public

R. 21 E., M.D.B. & M., at a point from which the S $\frac{1}{4}$ corner of said
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

Section 36 bears S. 14° 30' 00" E., a distance of 2185.0 feet.

6. Place of use Portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, T. 11 N., R. 21 E.,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

M.D.B. & M., two acres within the Proposed Place of Use are to be

irrigated under this application.

7. Use will begin about January 1st and end about December 31st, of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Improve spring outlet and distribution
State manner in which water is to be diverted, i.e. diversion structure, ditches and

system.
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$1,000.00
10. Estimated time required to construct works 2 years
If well completed, describe works.
11. Estimated time required to complete the application of water to beneficial use 5 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

The Proposed Manner of Use does not preclude minor stock
and wildlife use.

Compared gkl/jv jr/bk

By s/ Robert H. Cantley
Thiel, Winchell & Associates, Inc.
34 Lakes Blvd., Suite 101
Dayton, Nevada 89403
(702) 246-7300

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 0.012 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.012 cubic feet per second, but not to exceed 8.0 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before September 20, 1996

Proof of completion of work shall be filed before October 20, 1996

Application of water to beneficial use shall be filed on or before September 20, 1999

Proof of the application of water to beneficial use shall be filed on or before October 20, 1999

Map in support of proof of beneficial use shall be filed on or before October 20, 1999

Completion of work filed NOV 19 1997

Proof of beneficial use filed DEC 08 2000

Cultural map filed DEC 08 2000

Certificate No. 15708 Issued MAR 28 2001

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 20th day of September,

A.D. 1995

R. Michael Turnipseed, P.E.
State Engineer